

Message

From: Maslowski, Steven [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3AA4CE2F1DBD405591D8847CC9ADEC08-SMASLOWS]
Sent: 2/25/2020 8:49:06 PM
To: Sushila Nanda [Nanda.Sushila@epa.gov]; Lazos, Pamela [Lazos.Pamela@epa.gov]
Subject: FW: CRW/EPA/DEP Meeting/Call on Feb. 26
Attachments: ATP Scan In Progress

Steve Maslowski
NPDES Section
EPA Region III
215-814-2371

From: Tom Rowlett <Tom.Rowlett@pgenv.com>
Sent: Tuesday, February 25, 2020 3:45 PM
To: Maslowski, Steven <Maslowski.Steven@epa.gov>
Cc: jake.albright@pgenv.com
Subject: FW: CRW/EPA/DEP Meeting/Call on Feb. 26

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Got your call-in info e-mail – we can talk further about the above if we need to after the call tomorrow.

Tom Rowlett

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****Draft Attorney Work Product - Do Not Release****

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From: Maslowski, Steven <Maslowski.Steven@epa.gov>
Sent: Tuesday, February 25, 2020 11:14 AM
To: Tom Rowlett <Tom.Rowlett@pgenv.com>; Lazos, Pamela <Lazos.Pamela@epa.gov>; Nanda, Sushila <Nanda.Sushila@epa.gov>
Subject: FW: CRW/EPA/DEP Meeting/Call on Feb. 26

CRW just sent us a ton of information for tomorrow's meeting. I don't think I have enough time to digest all this information by tomorrow.

Steve Maslowski
NPDES Section
EPA Region III
215-814-2371

From: David Stewart <david.stewart@capitalregionwater.com>
Sent: Tuesday, February 25, 2020 1:59 PM
To: Maslowski, Steven <Maslowski.Steven@epa.gov>
Cc: vlandis@pa.gov
Subject: RE: CRW/EPA/DEP Meeting/Call on Feb. 26

Steve,

Information requested is attached and clarifications/additional information is offered in red by the appropriate bullet below. I've tried to simplify the integration of several bid tabs, payment applications and memos by numbering each attachment (Document Nos. 01 -13) and cross-referencing in the response narrative.

In the interest of getting this information to you in advance of the meeting, I haven't had the chance to convert the various project tabulations into linear foot basis (for comparison to the planning values you've referenced). I'll be working on that with the hopes of completing all materials for discussion tomorrow.

Please let me know if you have any questions before the meeting on Wednesday.

Regards,
Dave

From: Maslowski, Steven <Maslowski.Steven@epa.gov>
Sent: Thursday, February 20, 2020 9:55 AM
To: David Stewart <david.stewart@capitalregionwater.com>
Cc: 'Landis, Victor' <vlandis@pa.gov>
Subject: FW: CRW/EPA/DEP Meeting/Call on Feb. 26

Dave,

I am forwarding you this email just in case you did not receive it from your counsel.

From: Lazos, Pamela <Lazos.Pamela@epa.gov>
Sent: Wednesday, February 19, 2020 6:02 PM
To: Andes, Fredric <Fredric.Andes@btlaw.com>
Cc: Maslowski, Steven <Maslowski.Steven@epa.gov>; Nanda, Sushila <Nanda.Sushila@epa.gov>
Subject: RE: CRW/EPA/DEP Meeting/Call on Feb. 26

Sorry about the delay, Fred. We were just able to have a call among ourselves yesterday. Here's what we are looking for:

- Provide a detailed unit-cost /quantity breakdown for the \$20M construction required for the Paxton Creek Interceptor Rehabilitation Project listed in LTCP Supplement #1 Table 1-2 as related to the unit price tables presented in the CRW Sewer and Stormwater Prioritization FINAL Technical Memorandum_011218_2

CRW's approach to the execution of this project has changed since the point of reference. When the referenced addendum was prepared (August 31, 2018), CRW was several months into a contracted rehabilitation project utilizing centrifugally cast cementitious polymer liner (CCCPL) application. You'll recall CRW regularly updating EPA and DEP on difficulties experienced during construction and since. To summarize, Paxton Creek Interceptor was discovered to be in significantly worse condition than expected and groundwater intrusion became a major project driver after CRW's contractor established the bypass pumping system in the Spring of 2018. We negotiated a few change orders to accomplish additional repair work (preparation of pipe prior to lining) and infiltration control and at the time the August 31, 2018 supplement was issued, the estimate of the completed project cost (which was awarded at \$9MM) was \$20MM. Progress through Fall 2018 continued to degrade, and CRW ultimately terminated the contract at the end of 2018 having completed about 1,500-LF of the 13,500-LF scope. At that point, estimates for CCCPL project cost at completion were between \$43MM to \$69MM. To date, CRW has approved construction payment application requests of \$4.5MM for the project. We hold retainage of \$400,000 and are in negotiations for remediation of defective work by the contractor, who is also seeking payment of additional claims for the work they completed.

We've attached the most recent JMT technical memo (Document 01...) assessing the two most viable alternatives for completion of the work: slip-lining and interceptor pipe replacement. Estimated cost of the remaining work is between \$20MM and \$40MM depending on the approach taken. CRW is working with critical regional partners (municipal, economic development, transportation and land development interests) to develop a larger stream restoration and flood plain reduction program through the corridor in conjunction with interceptor replacement to offset a significant portion of the uncertainty associated with property acquisition and environmental remediation.

- Provide a detailed unit-cost /quantity breakdown for the \$9.6M construction required for the Front Street Interceptor Rehabilitation Project Phases 1 & 2 from LTCP Supplement #1 Table 1-2 as related to the unit price tables presented in the CRW Sewer and Stormwater Prioritization FINAL Technical Memorandum_011218_2

The Front Street Interceptor project is divided into two phases. Phase 1 (30-in VCP) and Phase 2 (increasing dimension concrete box culvert).

We completed Phase 1 during the Fall of 2019 under two contracts. Please see attached Document 02... and Document 03..., which are the final applications for payment from both contracts. The original estimated value of the work was \$0.6MM, but there were substantial challenges with un-marked utility conflicts, and the City park activity (construction window) limitations created additional expense. Ultimately, the project was constructed for \$1.24MM.

The estimated cost of Phase 2 (\$9MM) was developed by CDM Smith and is included in their May 3, 2017 memo (attached, Document 04). CRW contracted the engineering design of this phase but have delayed proceeding beyond 30% design due to concern over the constructability issues experienced with Paxton Creek interceptor.

- Provide detailed unit-cost /quantity breakdowns for the \$11.4M construction required for the four System-wide Pipe Rehabilitation and Replacement Projects from LTCP Supplement #1 Table 1-4 as related to the unit price tables presented in the CRW Sewer and Stormwater Prioritization FINAL Technical Memorandum_011218_2

CRW collection system rehabilitation programming has been evolving (from a blank slate in 2014), largely due to need for system data acquisition and development of asset management programming. During the first few years, we were compiling data and aggregating priority defects into an annual publicly bid package, while also responding to a few emergency repairs (e.g., street collapse). CRW realized the need to bid and award unit price construction work contracts (IDIQ – indefinite delivery, indefinite quantity) to allow us to respond more effectively to major, high consequence defects. CRW awarded IDIQ contracts for CIPP lining and conventional open-cut pipe/manhole replacement in 2018. We also continue to develop an annual publicly bid system

pipe/manhole rehabilitation contract. Based on our system needs (outlined in CBH2OPP and FCA), we're seeing annual needs growing towards \$5MM between IDIQ and conventional design/bid/build.

The \$1.4MM estimated for 2018 was comprised of CRW's 2017 Sewer Rehab Project, awarded late 2017 and constructed in 2018 (Document 05) and two IDIQ projects to rehab 30-inch brick sewers in Market Street (Documents 06 and 07). Approximately \$1.8MM of the total \$1.92MM in those payment applications was completed in 2018, with about \$120K of the work completed in the Spring of 2019, which when combined with CRW's \$1MM 2019 Sewer Rehab Project (Document 08) and several IDIQ projects (Documents 09-12) totaling \$600K approaches \$1.7MM constructed in 2019.

We will be advertising the 2020 Sewer Rehab project within the next month (estimated value \$2.8MM) and anticipate execution of about \$2MM of IDIQ work in 2020. At this point, we anticipate holding at this \$5MM annual level.

- Provide the construction bid tabulation for the pipe-bursting work performed for Asylum Run

Pipe bursting was considered for a portion of the rehabilitation work on CRW's Asylum Run Interceptor during design development, but we ultimately completed the project with a combination of CIPP lining and conventional excavation/replacement and did not employ pipe-bursting. We've attached the bid tabulation for that project (Document 13) which was constructed for approximately \$1MM.

- Provide the construction bid tabulation for a representative CIPP project recently performed by CRW

Several examples are attached in the responses to the previous bullets (please reference Documents 03, 05, 06, 08, 09 and 13).

- Provide the construction bid tabulation for a representative pipe replacement project recently performed by CRW

Several examples are attached in the responses to the previous bullets (please reference Documents 02, 05, 07, 08, 10, 11, 12 and 13).

I'm told that this information is all available since CRW already has estimates for this work so hopefully, it shouldn't be too time-consuming.

Thanks, Fred. We look forward to seeing you next week.
Pam

From: Andes, Fredric <Fredric.Andes@btlaw.com>
Sent: Wednesday, February 19, 2020 10:19 AM
To: Lazos, Pamela <Lazos.Pamela@epa.gov>
Subject: CRW/EPA/DEP Meeting/Call on Feb. 26

Hi, Pam. As you know, we have a meeting/call on the schedule for next Wednesday. But CRW had requested from EPA a list of outstanding information requests, and we haven't received that yet. With only a week to go before we get together, it'll be hard for us to pull information together in time, especially if there is a long list. So it might make sense to reschedule the meeting/call, once we see the info requests and can assess how long it will take to address them. Can you let us know where things stand on these issues within the Agency? Feel free to call if you'd like to discuss – thanks.

Fredric P. Andes, Esq.
Partner, Barnes & Thornburg LLP

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